

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

VINCENT KIEJZO,

Defendant

Case No. 20-cr-40036-TSH

**GOVERNMENT'S EXPERT DISCLOSURE REGARDING
HSI SPECIAL AGENT PETER W. MANNING**

The United States of America, by Joshua S. Levy, Acting United States Attorney, and Kristen M. Noto, Assistant United States Attorney for the District of Massachusetts, pursuant to Federal Rule of Criminal Procedure 16(a)(1)(G), provides notice of the government's intent to introduce the expert testimony of Homeland Security Investigations Special Agent Peter Manning at trial.

Training and Qualifications

Special Agent Manning has served as a special agent with the Department of Homeland Security, Homeland Security Investigations ("HSI") since December 2008. Special Agent Manning's focus at HSI is on complex criminal investigations and advanced digital forensics.

In addition to his duties and responsibilities as a Special Agent Manning also serves as a Computer Forensics Agent ("CFA") at HSI. In that role, Special Agent Manning provides digital forensics assistance to all investigative disciplines both within HSI and to other federal and local law enforcement agencies. Special Agent Manning's duties and responsibilities as a CFA include, among other things, preserving and acquiring digital evidence from various digital media including computers and cell phones. Special Agent Manning has received various certifications in the area of computer forensics, including "Certified Forensic Computer Examiner" from the International Association of Computer Investigative Specialists. As a CFA, Special Agent Manning has participated in dozens of criminal investigations and, in those investigations, forensically analyzed more than 100 digital devices. *See* Special Agent Manning's CV for additional information regarding his professional experience, training, and qualifications.

Within the previous 4 years, Special Agent Manning has testified as an expert in the trial of *United States v. Chiu*, 18CR10431.

Statement of Opinions¹

Special Agent Manning is expected to testify regarding his forensic examination of an MEMOREX_128GB USB flash drive (the “drive”) seized from the defendant during the execution of a search warrant on October 18, 2020. Special Agent Manning may testify that the drive was preserved in a forensic state after it was seized and that he subsequently performed a data extraction on the drive using reliable tools and methods. Special Agent Manning may further testify that, using reliable forensic tools, he extracted various digital artifacts from the drive including, but not folder structures and files. Special Agent Manning may be asked to authenticate these artifacts and testify that they are exact copies of files and/or data found on the drive at the time the drive was

In the context of artifacts obtained from the drive, Special Agent Manning may testify concerning metadata. As a general matter, Special Agent Manning may testify that metadata is data about other data that is often used to summarize basic information about the data including, but not limited to, the source of the data and the date and time the data was created, accessed, sent, received, or deleted.

Special Agent Manning may testify regarding applications found on the drive, including Tor Browser. The Tor browser is a web browser that is configured to route a user’s Internet traffic through the Tor network. The Tor Network is a computer network available to Internet users that is designed specifically to facilitate anonymous communication over the Internet, and for users to operate websites that are accessible only to users operating within the Tor network.

Special Agent Manning is expected to testify regarding files and file structures located on the drive, as more specifically outlined in the preliminary forensic report dated September 15, 2020, USAO Bates No. 000070, previously provided to the defendant on January 14, 2021.

¹ Some of the testimony described in this disclosure may not be expert testimony requiring notice and disclosure. However, the government provides the following information out of an abundance of caution.

Special Agent Manning is expected to base the above opinions on his forensic examination of the drive and the various artifacts obtained from the drive, as well as his knowledge, training, and experience regarding computer forensics.

Respectfully submitted,

JOSHUA S. LEVY
Acting United States Attorney

By: /s/ Kristen M. Noto
Kristen M. Noto
Assistant United States Attorney

Pursuant to Fed. R. Crim. P. 16(a)(1)(G), I have reviewed and approve this expert disclosure.



Peter W. Manning
HSI Special Agent

Date: November 6, 2023